



## U.S. Department of Justice

*United States Attorney  
Eastern District of Virginia*

Paul J. McNulty  
United States Attorney

2100 Jamieson Avenue 703-299-3700  
Alexandria, VA 22314

### NEWS RELEASE

FOR IMMEDIATE RELEASE  
Alexandria, Virginia  
July 12, 2005

For further information contact  
Sam Dibbley 703-842-4050

Paul J. McNulty, United States Attorney for the Eastern District of Virginia, announces the arrest of Francisco ("Frank") J. Martinez and his wife, Miriam E. Martinez, on federal charges of conspiracy to commit identification fraud. Mr. McNulty also announces the arrest of Daniel Jose Guardia Lopez, also known as, Jose Daniel Guardia, on related charges.

Frank Martinez, age 57, of Stafford, Virginia, is the manager of the Virginia Department of Motor Vehicles Customer Service Center at the Springfield Mall in Springfield, Virginia, and has been a DMV employee since 1990. Miriam Martinez, age 56, also of Stafford, Virginia, worked as a clerk at the DMV in Tyson's Corner Virginia, from 1996-1998 and then again briefly in 2003. Daniel Jose Guardia Lopez, age 25, resides in Alexandria, Virginia, and is a citizen of Bolivia who is illegally in the United States.

Frank and Miriam Martinez, as well as Daniel Jose Guardia Lopez, are charged with conspiring to produce Virginia driver's licenses by fraud. If Frank and Miriam Martinez are convicted, they face a maximum penalty of 15 years imprisonment and a fine of \$250,000. Daniel Jose Guardia Lopez is charged with conspiring to produce Virginia driver's licenses by fraud, and faces a maximum penalty of 15 years imprisonment and a fine of \$250,000.

The charges against these three defendants stem from their efforts to produce and sell authentic Virginia driver's licenses to immigrants unlawfully in the United States and other unqualified applicants. Under the scheme, Frank Martinez used his position as the manager of the Springfield Mall DMV to produce driver's licenses for immigrants located and sent to the office by his wife and Lopez. Miriam served as the link between her husband and the unqualified applicants. Lopez found clients, collected fees and passed along instructions from Miriam to the clients about when to go to the Springfield DMV office to receive their licenses. In return for a genuine Virginia driver's license, each immigrant was charged a fee of between \$2,000 and \$3,500. In most cases the immigrants buying the licenses were not qualified to obtain a valid Virginia driver's license because they were unlawfully present in the United States or because their driving privileges had been suspended.

The licenses Frank Martinez produced through this scheme were authentic Virginia driver's licenses. He abused his position of trust and falsified DMV records to make it appear that the immigrants who received the licenses were Virginians who had recently moved to Virginia from another state. He would falsely record that the immigrant applicant had

surrendered a valid driver's license from another state, knowing that the applicant surrendered no license at all and never lived in the states he recorded. The government's preliminary investigation suggests that from January 2004 to the present, Frank Martinez fraudulently issued authentic Virginia driver's licenses to at least 40 unqualified individuals, including Daniel Jose Guardia Lopez.

**U.S. Attorney McNulty issued the attached statement regarding this case which can be found at the end of this release.**

D.B. Smit, Commissioner of the Virginia Department of Motor Vehicles said: "The arrest of this employee is disappointing, yet represents the agency's vigilance and commitment to security in every facet of our operation. Whether it's attempted fraud by individuals outside of the agency or breaches of confidence from within, we will not tolerate illegal activity. We will continue to aggressively screen documents, conduct audits and quality assurance programs, investigate and prosecute offenders to protect the integrity of our agency, our hard-working employees and our services."

Assistant Director in Charge of the FBI's Washington Field Office Michael A Mason said: "The ability to conduct the activities of a criminal enterprise often begins with the acquisition of false identification. The disruption of this type of criminal activity ultimately makes it harder for those who would use these instruments to conduct further criminal acts."

Ambassador Richard Griffin, Assistant Secretary of State for the Bureau of Diplomatic Security, stated: "This investigation began as a result of information developed by special agents from the Bureau of Diplomatic Security's Washington Field Office. Diplomatic Security investigates U.S. passport and visa fraud, and related identity fraud. Fraudulent driver's licenses, such as those sold by this corrupt employee, are just the sort of documents used to establish fraudulent identities by criminals involved in passport fraud, gang activity, financial fraud and other crimes. This case is an outstanding example of federal and state law enforcement officials, and the U. S. Attorney's office for the Eastern District of Virginia, working together seamlessly to protect the people of our community and country."

The case against Frank Martinez, Miriam Martinez and Daniel Jose Guardia Lopez was the result of a six-month investigation by agents of the Federal Bureau of Investigation, the Virginia Department of Motor Vehicles and the Diplomatic Security Service of the Department of State. Assistant United States Attorneys John T. Morton and Stephanie L. Bibighaus are prosecuting the cases for the government.

(more)



**U.S. Department of Justice**

*United States Attorney*

*Eastern District of Virginia*

---

*Paul J. McNulty*  
*United States Attorney*

*2100 Jamieson Avenue (703)299-3700*  
*Alexandria, Virginia 22314 Fax: 703-549-5202*

Statement of  
**Paul J. McNulty**  
United States Attorney  
Eastern District of Virginia  
July 12, 2005

The arrests made early this morning in this case drive home an important point: We must aggressively safeguard our identification systems. The integrity of state driver's licenses is critical to our commerce, as well as, our national security. Driver's licenses are universally recognized throughout the United States as legitimate personal identification and are used for many purposes. By arresting Frank and Miriam Martinez today, we have eliminated a source of fraudulent driver's licenses for criminals who want to conceal their true identity and others who are not qualified to legitimately obtain a Virginia driver's license.

Martinez' conduct is reprehensible. As a long-term employee of the Virginia Department of Motor Vehicles and a supervisor for the past four years, Martinez abused his position of leadership and public trust while lining his pockets with ill-gotten gain. We have worked very closely with the Virginia Department of Motor Vehicles to root out those few individuals who betray the trust vested in them as public servants. In fact, this case demonstrates our efforts have been successful. A few years ago, one could fraudulently obtain a driver's license for about \$100. It now takes up to \$3,500 and the involvement of a corrupt clerk. This suggests our enforcement efforts with DMV are making the fraud more difficult, riskier, and more costly. Martinez may have run a lucrative criminal scheme for a while, but he will now pay a high price and, if convicted, he will spend up to 15 years in prison.

I want to thank the team of investigators who worked so hard to bring these defendants to justice. This case is the result of a six month investigation by the FBI, the Virginia Department of Motor Vehicles, and the Diplomatic Security Service of the Department of State. Assistant United States Attorneys John T. Morton and Stephanie Bibighaus are prosecuting the case for the government.

####